

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID M. ZOLMAN,

Plaintiff,

vs.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.  
\_\_\_\_\_

Civil Action No.  
08-CV-14704

HON. BERNARD A. FRIEDMAN

**ORDER ACCEPTING AND ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter is presently before the court on cross motions for summary judgment. Magistrate Judge Virginia Morgan has submitted a Report and Recommendation ("R&R") in which she recommends that defendant's motion be denied, plaintiff's motion be granted, and the matter be remanded for an award of benefits. Neither party has filed objections to the R&R and the deadline for doing so has expired. Having reviewed the motions, the administrative record, and the R&R, the court is persuaded that the magistrate judge's analysis and recommendation are correct. Accordingly,

IT IS ORDERED that Magistrate Judge Morgan's Report and Recommendation is hereby accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that defendant's motion for summary judgment is denied.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment is granted.

IT IS FURTHER ORDERED that this matter is remanded to defendant for an award of benefits.

S/Bernard A. Friedman\_\_\_\_\_  
BERNARD A. FRIEDMAN  
SENIOR UNITED STATES DISTRICT JUDGE

Dated: November 18, 2009  
Detroit, Michigan

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 18, 2009, by electronic and/or ordinary mail.

S/Carol Mullins  
Case Manager